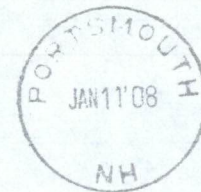


City of Portsmouth
Public Works Department
680 Peverly Hill Road
Portsmouth NH 03801

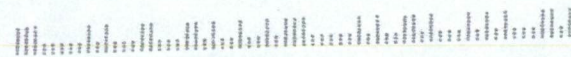
VSEW

Joy Hilton
U.S. EPA
Region 1

One Congress Street, Suite 1100 (SEW) JAN 15 2008
Boston MA 02114-2023



02114+2023-75 C011





PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

January 9, 2008

U.S. Environmental Protection Agency
Region I
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003
Quarterly Report 2
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Orders No 07-016 dated August 1, 2007 and Administrative Orders No 08-003 dated November 9, 2007, the City of Portsmouth is submitting the 2nd quarterly report. The Administrative Order No 08-003 required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flow and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007

Work on Task 3 is on-going and is currently on schedule for April 16 2008 completion.

- b. **By April 16, 2008**, complete work on the City Task 3 summarizing the results itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007

Work on Task 3 is on-going and is currently on schedule for April 16 2008 completion.

- c. **By April 16, 2008** begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007

Pending completion of Task 3

Page 2 of 3
Ms. Joy Hilton
January 9, 2008

- d. **By October 17, 2008** begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007

Pending completion of Task 3 and 4.

- e. **From the date of receipt of this Order**, work on Task 11 (Public and Regulatory Participation Program) and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

Work on Tasks 11 and 12 are on-going

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule: See attached updated Table 1 listing accomplishments.

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth
David S. Allen, Deputy Director of Public Works
Margaret Bastien, NHDES
Suzanne Woodland, Assistant City Attorney
Mark Allenwood, P.E., Weston and Sampson Engineers

TABLE 1 COMPLIANCE SCHEDULE CS0 - LTCP PROJECTS

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 10/31/07
Lincoln	2	4/1/2007	7/1/2009	Completed
Lincoln	2A⁽¹⁾	7/1/2008	11/1/2010	Received Engineering Proposals and Selected Engineer.
Lincoln	3	4/1/2009	7/1/2011	
Lincoln	3A	4/1/2010	7/1/2012	
Borthwick	Interceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	On-going
Islington	Islington #2	7/1/2009	1/1/2012	
Deer Street PS		Under Construction	7/1/2007	Completed
Mechanic Street PS		1/1/2009	4/1/2010	
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	Initial discussion with consultants has been completed. Flow monitoring will be revisited as part of Task three to be completed by April 16, 2008

Table Notes: ⁽¹⁾ In an effort to expedite sewer separation, project 2A has been incorporated into projects 3, 4, and 5, these projects. Design of these projects is dependent upon available funds the intent is to design as one project if possible and bid out in phases.



"Peter Rice"
<phrice@pw.cityofportsmouth.com>

04/30/2008 05:07 PM

To Joy Hilton/R1/USEPA/US@EPA
cc "Suzanne Woodland"
<smwoodla@ch.cityofportsmouth.com>
bcc

Subject Third Quarterly report

Joy:

Attached please find a copy of the 3rd quarterly report required by A.O. 08-003 as well as Technical Memorandum 3. Hard copy will follow in the mail.

Please let me know you have received this e-mail. Thanks.

Peter H. Rice, P.E.
City of Portsmouth
Department of Public Works
Water and Sewer Engineer
Phone: 603-766-1416
Fax: 603-427-1539



tm3df.pdf



joyhiltonq3.pdf



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

April 30, 2008

U.S. Environmental Protection Agency
Region I
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 3
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the third quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled

- b. **By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

Attached please find a final draft of the Technical Memorandum for Task 3. The City believes this is a finished version, however, the City has not had an opportunity to perform a final review. The City will review this final draft and submit any minor changes by May 9, 2008 if necessary.

- c. **By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 2 of 3
Ms. Joy Hilton
April 30, 2008

d. By October 17, 2008, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement is on schedule to be started by the required date.

e. From the date of receipt of this Order, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going, most recent outreach activities include:

- *Presentation to City-wide neighborhood group, March 11, 2008*
- *Quarterly Status report to City Council March 18, 2008*

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

As a clarification the previous quarterly reports indicated contract 2 had been completed. While contract 2 has been completed, sewer separation "Area 2" had not been completed. We believe Administrative Order Docket No. 08-003 intended to mean "Area" when listing "Contract ID". The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we believe we will not meet the July 2009 schedule for project Area 2 completion. Prior to the next quarterly status report the City will prepare a revised schedule reflecting the contracts and project areas to clarify the confusing nomenclature. In addition to providing an updated schedule and project area map, the City will combine the design of project areas 2, 2A, 3, and 3A. These projects will be designed as one project and bid out in phases.

See updated Table 1 (attached) listing accomplishments.

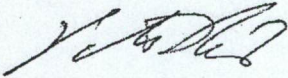
CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 3 of 3
Ms. Joy Hilton
April 30, 2008

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth
Margaret Bastien, NHDES
Suzanne Woodland, Assistant City Attorney
Peter Goodwin, P.E., Weston and Sampson Engineers
Mark Allenwood, P.E., Brown and Caldwell Engineers

TABLE 1

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 4/30/08
Lincoln	2	4/1/2007	7/1/2009	Selected Underwood Engineers to perform design. Contract preparation is underway
Lincoln	2A	7/1/2008	11/1/2010	Selected Underwood Engineers to perform design. Contract preparation is underway
Lincoln	3	4/1/2009	7/1/2011	Selected Underwood Engineers to perform design. Contract preparation is underway
Lincoln	3A	4/1/2010	7/1/2012	Selected Underwood Engineers to perform design. Contract preparation is underway
Borthwiek	Intereceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	On-going
Islington	Islington #2	7/1/2009	1/1/2012	
Mechanic Street PS		1/1/2009	4/1/2010	
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

April 30, 2008

U.S. Environmental Protection Agency
Region I
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 3
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the third quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled

b. **By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

Attached please find a final draft of the Technical Memorandum for Task 3. The City believes this is a finished version, however, the City has not had an opportunity to perform a final review. The City will review this final draft and submit any minor changes by May 9, 2008 if necessary.

c. **By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled

Page 2 of 3
Ms. Joy Hilton
April 30, 2008

d. By October 17, 2008, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement is on schedule to be started by the required date.

e. From the date of receipt of this Order, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going, most recent outreach activities include:

- *Presentation to City-wide neighborhood group, March 11, 2008*
- *Quarterly Status report to City Council March 18, 2008*

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

As a clarification the previous quarterly reports indicated contract 2 had been completed. While contract 2 has been completed, sewer separation "Area 2" had not been completed. We believe Administrative Order Docket No. 08-003 intended to mean "Area" when listing "Contract ID". The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we believe we will not meet the July 2009 schedule for project Area 2 completion. Prior to the next quarterly status report the City will prepare a revised schedule reflecting the contracts and project areas to clarify the confusing nomenclature. In addition to providing an updated schedule and project area map, the City will combine the design of project areas 2, 2A, 3, and 3A. These projects will be designed as one project and bid out in phases.

See updated Table 1 (attached) listing accomplishments.

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 3 of 3
Ms. Joy Hilton
April 30, 2008

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth
Margaret Bastien, NHDES
Suzanne Woodland, Assistant City Attorney
Peter Goodwin, P.E., Weston and Sampson Engineers
Mark Allenwood, P.E., Brown and Caldwell Engineers

TABLE 1

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 4/30/08
Lincoln	2	4/1/2007	7/1/2009	Selected Underwood Engineers to perform design. Contract preparation is underway
Lincoln	2A	7/1/2008	11/1/2010	Selected Underwood Engineers to perform design. Contract preparation is underway
Lincoln	3	4/1/2009	7/1/2011	Selected Underwood Engineers to perform design. Contract preparation is underway
Lincoln	3A	4/1/2010	7/1/2012	Selected Underwood Engineers to perform design. Contract preparation is underway
Borthwick	Interceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	On-going
Islington	Islington #2	7/1/2009	1/1/2012	
Mechanic Street PS		1/1/2009	4/1/2010	
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going



"Peter Rice"
<phrice@pw.cityofportsmouth
.com>

07/31/2008 10:04 AM

To Joy Hilton/R1/USEPA/US@EPA

cc

bcc

Subject Fourth Quarterly A.O. Report

Attached please find a copy of the fourth quarterly report required by A.O. 08-003. Hard copy with attachments is in the mail. Please call if you have any questions.

Peter H. Rice, P.E.
City of Portsmouth
Department of Public Works
Water and Sewer Engineer
Phone: 603-766-1416
Fax: 603-427-1539



"Peter Rice"
<phrice@pw.cityofportsmouth
.com>

07/31/2008 10:05 AM

To Joy Hilton/R1/USEPA/US@EPA

cc

bcc

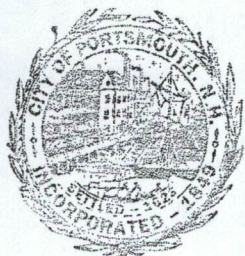
Subject Attached Quarterly report

Sorry, I forget to attach the report.

Peter H. Rice, P.E.
City of Portsmouth
Department of Public Works
Water and Sewer Engineer
Phone: 603-766-1416
Fax: 603-427-1539



joy.pdf



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH
680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

4077.02
e-mailed 7/31/08

Hard copies mailed

July 29, 2008

U.S. Environmental Protection Agency
Region I
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 4
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the fourth quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- b. **By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled see attached final TM 3 memo. Final draft of TM 3 was submitted as part of the April 30th third quarterly report.

- c. **By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- d. **By October 17, 2008**, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has started ahead of the scheduled date.

Page 2 of 3
Ms. Joy Hilton
July 29, 2008

e. **From the date of receipt of this Order**, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going, most recent outreach activities include:

- *Quarterly Status report to City Council June 2, 2008*
- *City staff and project consultants held a meeting with interested environmental groups on July 18, 2008 to discuss potential wastewater treatment technologies.*

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we believe we will not meet the July 2009 schedule for project Area 2 completion. As stated in the last quarterly status report the City will prepare a revised schedule reflecting the contracts and project areas to clarify the confusing nomenclature. However, it is necessary to complete the design to define each projects' extent and phasing. The intent is to complete all the project areas listed in Administrative Order 08-003 within the overall July 2012 dead line. Attached is a map that shows the area included in the recently executed contract with Underwood Engineers. The area covered by this design includes an area comparable to those shown previously in the April 2005 Final CSO Long Term Control Plan project areas 2, 2A, 3, and 3A. These projects will be designed as one project and bid out in phases.

The construction of "Islington #1" project has been delayed due to property acquisition issues. During final preparation for bidding the property owner at the proposed jacking pit location at the corner of Islington and Bartlett Street refused to execute an easement to allow access to his property. The property owner had previously indicated his willingness to grant an easement. Prior to this easement issue the project was on schedule to start construction in April of 2008. The City had advertised and had received contractor qualifications (see attached advertisement).

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 3 of 3
Ms. Joy Hilton
July 29, 2008

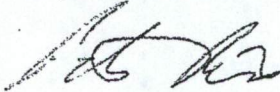
The City is currently evaluating alternatives including possible adjustment of the project design to shift the sewer and drain lines to the South side of Bartlett Street. The South side alternative also requires property acquisitions. The City has had an appraisal done and is currently negotiating with the property owner. Exploration of alternatives will delay the completion date of this project beyond the July 2009 deadline. The actual delay has not been determined.

See updated Table 1 (attached) listing accomplishments.

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth, w/o enclosure
Margaret Bastien, NHDES, w/encl.
Suzanne Woodland, Assistant City Attorney, w/encl.
Peter Goodwin, P.E., Weston and Sampson Engineers, w/o enclosure
Mark Allenwood, P.E., Brown and Caldwell Engineers, w/o enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IPrivileged and Confidential
Prepared in Anticipation of Litigation
Attorney-Client Communication
FOIA Exempt

Memorandum

Date:

Subj: Executive Summary
Administrative Order Docket No. 08-003
City of Portsmouth, New Hampshire

From: Joy Hilton
Engineer (918-1877)

Michael Wagner
Senior Enforcement Counsel (918-1735)

To: Susan Studlien, Director
Office of Environmental Stewardship

I. Type and Location of Facility

The City of Portsmouth, New Hampshire (the "Permittee" or "City") owns and operates a publicly-owned treatment works ("POTW") that includes a 4.8 million gallon per day ("MGD") chemically-enhanced primary wastewater treatment plant ("treatment plant"), which treats wastewater from domestic, industrial and commercial sources. During dry weather, the treatment plant treats and discharges an average daily flow of 3.5 MGD of wastewater through a 0.6 meter diameter, single port outfall to the Piscataqua River. The wastewater collection system tributary to the treatment plant is a combined sewer system with four combined sewer overflow ("CSO") outfalls. Two CSO outfalls discharge to the Piscataqua River, and two to South Mill Pond. South Mill Pond flows into the Piscataqua River, which flows into the Atlantic Ocean. All three waterways are Class B waterways and navigable waters of the United States.

II. Nature and Environmental Significance of Violations

In accordance with a waiver under Section 301(h) of the CWA, EPA, on January 18, 1985, authorized the City to discharge wastewater without meeting secondary treatment requirements through NPDES Permit No. NH10100234 ("1985 Permit"). The 1985

Permit expired on January 18, 1990, but was administratively continued pursuant to 40

SYMBOL	DATE	DATE	DATE	DATE	DATE	DATE	DATE
405	11/5/07	11/5/07	11/5/07	11/09/07			
SURNAME	Hilton	Wagner	Studlien				
DATE	11/5/07	11/5/07	11/09/07				



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

July 29, 2008

U.S. Environmental Protection Agency
Region I
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 4
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the fourth quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
a. By November 1, 2007, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- b. By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled see attached final TM 3 memo. Final draft of TM 3 was submitted as part of the April 30th third quarterly report.

- c. By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- d. By October 17, 2008**, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has started ahead of the scheduled date.

Page 2 of 3
Ms. Joy Hilton
July 29, 2008

e. From the date of receipt of this Order, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going, most recent outreach activities include:

- *Quarterly Status report to City Council June 2, 2008*
- *City staff and project consultants held a meeting with interested environmental groups on July 18, 2008 to discuss potential wastewater treatment technologies.*

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we believe we will not meet the July 2009 schedule for project Area 2 completion. As stated in the last quarterly status report the City will prepare a revised schedule reflecting the contracts and project areas to clarify the confusing nomenclature. However, it is necessary to complete the design to define each projects' extent and phasing. The intent is to complete all the project areas listed in Administrative Order 08-003 within the overall July 2012 dead line. Attached is a map that shows the area included in the recently executed contract with Underwood Engineers. The area covered by this design includes an area comparable to those shown previously in the April 2005 Final CSO Long Term Control Plan project areas 2, 2A, 3, and 3A. These projects will be designed as one project and bid out in phases.

The construction of "Islington #1" project has been delayed due to property acquisition issues. During final preparation for bidding the property owner at the proposed jacking pit location at the corner of Islington and Bartlett Street refused to execute an easement to allow access to his property. The property owner had previously indicated his willingness to grant an easement. Prior to this easement issue the project was on schedule to start construction in April of 2008. The City had advertised and had received contractor qualifications (see attached advertisement).

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 3 of 3
Ms. Joy Hilton
July 29, 2008

The City is currently evaluating alternatives including possible adjustment of the project design to shift the sewer and drain lines to the South side of Bartlett Street. The South side alternative also requires property acquisitions. The City has had an appraisal done and is currently negotiating with the property owner. Exploration of alternatives will delay the completion date of this project beyond the July 2009 deadline. The actual delay has not been determined.

See updated Table 1 (attached) listing accomplishments.

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth, w/o enclosure
Margaret Bastien, NHDES, w/encl.
Suzanne Woodland, Assistant City Attorney, w/encl.
Peter Goodwin, P.E., Weston and Sampson Engineers, w/o enclosure
Mark Allenwood, P.E., Brown and Caldwell Engineers, w/o enclosure

TABLE 1

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 4/30/08
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Lincoln	3A	4/1/2010	7/1/2012	Contract has been executed and design is underway.
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Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	Easement issues have delayed start of construction.
Islington	Islington #2	7/1/2009	1/1/2012	
Mechanic Street PS		1/1/2009	4/1/2010	
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going

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Mechanic Street PS		1/1/2009	4/1/2010	
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going



PROPOSED

PROPOSED SEWER < 12" (SIZE INDICATED)	
PROPOSED SEWER >= 12" (SIZE INDICATED)	
SMH	●
PROPOSED DRAIN < 18"	—
PROPOSED DRAIN >= 18"	—
EXISTING SEWER TO BE REHABILITATED	- - -
COMBINED SEWER TO BE DEDICATED DRAIN	- - -
CATCH BASIN	■
DMH	●
PROPOSED 8" WATER LINE	- - -
PROPOSED 12" WATER LINE	- - -

SCALE: NOT TO SCALE

OBITUARY
MAINE

Florence Hagen

WEATHERSFIELD, Vt. — Florence "Flo" Hagen, 83, died after a brief illness Saturday evening, Dec. 22, 2007, at Exeter Hospital in Exeter, N.H., surrounded by her family.

She was born Aug. 30, 1924, in Greenfield, Mass., the daughter of Arthur and Mary (Dasher) Lemire. She received her education in Massachusetts, Canada and Maine.

She moved to the Weathersfield area in the early 1940s, where she had made her home since.

She was married to William "Bud" Hagen on Feb. 7, 1946, in Springfield. He predeceased

her on Aug. 5, 2007.

She is survived by three sons, Paul and his wife, Charlene, of Portsmouth, N.H., David and his wife, Elaine, of Hampton, N.H., and Michael and his wife, Annette, of Weathersfield; one daughter, Mary Lou Rustian and her husband, Russell, of West Unity, N.H.; seven grandchildren; and 10 great-grandchildren. She is also survived by several nieces, nephews and cousins.

She was predeceased by two sisters, Theresa Pelogian and Orla Wood.

WE REMEMBER: Mrs. Hagen



was a mother and homemaker, working part time as a postal clerk at the Perkinsville Post Office for 20 years. She also worked at the Bryant Grinner Corp. in Springfield during World War II.

She was a member of the Assonet Union Church, where she was a very active volunteer over the years. She was also very active with numerous charities and women's groups in the area over the years. She and her husband were members of the Good Sam campers club and enjoyed camping. She also enjoyed crafts, ceramics, painting and making

lampshades.

AS AN ENJOYER

SEAFARERS: Friends may call from 8 to 8 p.m. on Wednesday at the Davis Memorial Chapel, 69 Summer St., Springfield. A funeral service will be held at 11 a.m. on Thursday at the Assonet Union Church in Assonet. The Rev. Connie Messer, pastor, will officiate. Burial will be in the Plain Cemetery in Perkinsville in the spring. Contributions may be made in her memory to the Assonet Union Church, P.O. Box 345, Assonet, VT 05030. Arrangements are under the direction of the Davis Memorial Chapel in Springfield.

Rx restriction law overturned in Maine

RANGOR, Maine (AP) — Relying heavily on a ruling in New Hampshire, a federal judge has overturned a new state law that restricts access by medical data companies to doctors' prescription information. U.S. District Judge John Woodcock concluded that the law, which

was scheduled to take effect Jan. 1, would prohibit "the transfer of truthful commercial information" and "violate the free speech guarantee of the First Amendment."

The law had been challenged on constitutional grounds by IMS Health of Norwalk, Conn.,

Wolters Kluwer Health of Conshohocken, Pa., and Verispan of Yardley, Pa., which collect, analyze and sell medical data to pharmaceutical companies for use in their marketing programs.

In his 42-page decision, Woodcock noted several times that he relied heavily on an April 30 ruling by U.S. District Judge Paul Barbakadze in New Hampshire that shot down a similar law in that state. A similar case is also pending in Vermont.

The Maine law, once several enacted by the Legislature in an attempt to address high health care and prescription drug costs, was modified after the New Hampshire ruling in

an attempt to avoid constitutional flaws. Under an "opt-out" provision, drug prescribers were allowed to prevent release of information that identified them. But the companies challenging the law said that provision only made things worse by increasing the danger that the state would have to shield prescribers' practices.

The primary sponsor of Maine's legislation, Rep. Sharon Treat, D-Farmington, expressed disappointment at Woodcock's ruling, and said she anticipates an appeal. Appeals by Maine and New Hampshire could be consolidated if judges at the 1st U.S. Circuit Court of Appeals find they involved similar issues.

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Legal Notice
YORK SEWER DISTRICT
PUBLIC HEARING NOTICE
PROPOSED EMINENT DOMAIN TAKING

- The Trustees of the York Sewer District will hold a Public Hearing on January 17, 2008 at the York Sewer District, York Beach, Maine at 5:00 PM to determine the advisability of the exercise of the right of eminent domain.
- The land to be taken is a 0.57 parcel located on 2 Railroad Avenue Extension in York, Maine and is described as (a portion of) Lot 145 on York Tax Map 140.
- The owner of the property is Roger R. Norton, Jr.

Dated this December 20, 2007 by the Trustees of the York Sewer District.
#12/29/07 11 P 12/24

COMBINATION WINDOWS AND DOORS

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Legal Notice
Rye Planning Board - Agenda
Rye Town Hall, 10 Central Road, Rye, NH 03870
(603) 864-8800 web: www.townofrye.nh.us
January 8, 2008 - Rye Town Hall at 7:00 P.M.

- Call to Order
- Approval of Minutes: November 28, December 11, and December 18, 2007 - Action Required
- Third Public Hearings: Action Required.
No. 2008-01: to enact an Aquifer Protection Overlay District.
No. 2008-02: to amend the special exception provisions of the SR, GR, Business and Commercial Districts to delete the term "conventional" (home) and to add definitions of "nursing home," "home for the elderly," "independent living," "assisted living," "long term care," and "continuing care retirement community" to the ordinance.
- Public Hearings: Action Required.
McCauley Wholesale - MAJCA REALTY LLC, request for exemption, per Land Use Regulations, 5425.4 to Site Review per Land Use Regulations 5200.2 and 5405 for property located at 25 Lafayette Road, Tax Map 14, Lot 10. File 18-07.
Continuation of the Major Site Development Plan for The Housing Partnership on the Special Use Permit to construct 32 units of senior housing on the property located at 160 Lafayette Road, Tax Map 10, Lot 18 in accordance with the Rye Zoning Ordinance, Section 401. File No. 07-07.
Continuation of GreatWawa Marketing, Inc. application for an Amendment to the 2005 Planning Board Approval to propose parking for the existing retail use on site for property located at 123-139 Lafayette Road, Tax Map 10, Lot 7. File No. 14-07.
Continuation of Two Twenty Eight Maple Street LLC requests a Final Review for a Condo Conversion for Wolfe Sands Place Condominiums, LLC located at 1035 Ocean Boulevard, Tax Map 20.2, Lot 1 with an approximate lot size of 88,308 S.F. to convert 10 existing seasonal rental units and one existing year round dwelling unit into 11 condominium units. File No. 11-02.
- Conceptual Consultations:
Interventional Spine Medicines discussion on purchasing 270 Lafayette Road, Tax Map 10, Lot 83 and converting it from Office to Medical and they would need a change of use permit and they would need a waiver from parking per Section 500.2 of the LDR and will potentially add onto the building.
- Payment of Fees - Action Required
- New Business
- Adjournment - Action Required

Donald A. Cavaliere,
Planning Board Chairman

NOTE: NO APPLICATIONS WILL COMMENCE AFTER 10:00 P.M. REMAINING APPLICATIONS SHALL BE CONTINUED UNTIL THE FOLLOWING MONTH.
#9/20/07 11 P 12/24

Legal Notice
CITY OF PORTSMOUTH, NEW HAMPSHIRE
ADVERTISEMENT FOR
PRE-QUALIFICATION OF CONTRACTORS
BARTLETT AREA SEWER IMPROVEMENTS

Separate sealed PRE-QUALIFICATION STATEMENTS for the construction of **Bartlett Area Sewer Improvements** will be received by the City of Portsmouth at the Purchasing Department until 2:00 P.M. (local time) on **January 23, 2008**. The work includes construction of storm sewers under the railroad tracks (back and forth) sanitary sewers, storm sewers, water mains and appurtenances. The project is located in the vicinity of the Bartlett Street to Lexington Street intersection. Construction is expected to start in April 2008. The anticipated construction cost is between \$3 and \$4 Million.

- Project may be funded in part by the NHDES State Revolving Loan Fund and/or EPA STAG funds. State and Federal provisions apply.
- The City will begin the bidding process following completion of the pre-qualification period. To be eligible to submit bid proposals, all individuals, firms, partnerships or corporations interested in bidding **MUST BE PRE-QUALIFIED**. Only pre-qualified contractors will be invited to bid.
- The City reserves the right to reject any or all pre-qualification statements, to waive any information on statements received, and to take any action that it may deem to be in the best interest of the City.

Copies of the Pre-qualification Statements may be obtained from the City Purchasing Department, City Hall, 1 Junken Avenue, Portsmouth, New Hampshire 03801-4012 (603-810-7277). There is no cost for the Pre-qualification Statement. All requests for mailed documents will be shipped by regular UPS ground.

The Pre-qualification Statement may be examined at the following locations: Office of Underwood Engineers, Inc. - 25 Vaughn Mall, Unit A, Portsmouth, NH 03801-4012, Office of Public Works - 1 Junken Avenue, Portsmouth, NH 03801, Purchasing Department - 1 Junken Avenue, Portsmouth, NH 03801, Office of Construction Summary of NH - 734 Chestnut St., Manchester, NH 03104, Office of Associated General Contractors of NH - 48 Grandview Road, NH 03304, Office of Dodge Reports - 880 2nd Street, Manchester, NH 03102.

Whether the City or the Engineer will be responsible for full or partial sets of the statements obtained from any source. All costs associated with the preparation of the pre-qualification statement and bid proposals are the responsibility of the Contractor.

Note: Pre-qualification statements must be submitted in sealed envelope addressed to: Purchasing Department, City Hall, 1 Junken Avenue, Portsmouth, NH 03801.
#12/26/07 11 P 12/24

Legal Notice
Town of Epping, New Hampshire

Supervisors of the checklist will be in session on Saturday, December 29, 2007, between 11:00 am and 11:30 am. Additions and corrections will be made at this time.

Supervisors:
Grace Lavoie
Pam Hollings
Kim Gauthier

#20/07 11 P 12/24

Legal Notice
HISTORIC DISTRICT COMMISSION
CITY OF PORTSMOUTH, NEW HAMPSHIRE

NOTICE IS HEREBY GIVEN that the Historic District Commission will hold Public Hearings on applications #1 through #4 on Wednesday, January 2, 2008 at 7:00 pm in the Eileen Henderson Town Council Chambers, Municipal Complex, 1 Junken Avenue, PORTSMOUTH, NH 03801.

1. Petition of Gregory B. Bolton, owner, and Bruce Orsini, applicant, for property located at 33-35 Richmond Street, wherein permission is requested to allow exterior renovations to an existing structure (freight garage) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 108 as Lot 17 and lies within the Mixed Residential Office and Historic A Districts.
2. Petition of Peter B. Schwall, owner, for property located at 270-272 South Street, wherein permission is requested to allow exterior renovations to an existing structure (freight warehouse), and to add a new second story window, and add windows at 272 South Street as per plans on file in the Planning Department. Said property is shown on Assessor Plan 111 as Lot 6 and lies within the Single Residence B and Historic A Districts.
3. Petition of DiLorenzo Real Estate, LLC, owner, for property located at 27 Bow Street, wherein permission is requested to allow exterior renovations to an existing structure (freight warehouse) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 26 and lies within the Central Business B and Historic A Districts.
4. Petition of Banta Bing Enterprises, LLC, owner, and Heidi Cowde, applicant, for property located at 21 Daniel Street, wherein permission is requested to allow exterior renovations to an existing structure (small retail store) as per plans on file in the Planning Department. Said property is shown on Assessor Plan 107 as Lot 26 and lies within the Central Business B and Historic A Districts.

Roger W. Drury, Assistant Building Inspector
#12/25/07 11 P 12/24

GOP's Collins gets help from ex-Democrat

Lieberman backs her bid for re-election

PORTLAND, Maine (AP) — In 2006, Republican U.S. Sen. Susan Collins of Maine campaigned for Connecticut colleague Joseph Lieberman, the former Democrat who won re-election as an independent after losing his party's primary.

Now, as Collins faces what many see as a tough re-election challenge from Democrat Tim Allen, Lieberman has returned the favor by backing Collins and raising money for her campaign.

Political experts and the candidates themselves are split on how Lieberman's involvement in the 2008 race could affect the outcome.

Some suggest that having a former Democrat in her corner could rally swing voters to the two-term senator by distancing her from the policies of President Bush.

"It's better to run as a Joe Lieberman Republican than a George Bush Republican," said Stuart Rottenberg, a political handicapper and author of the Rottenberg Political Report.

Since most endorsements are predictable, Rottenberg said, getting the aid from a former Democrat who was his party's vice presidential nominee in 2000 is a plus for a

moderate Republican.

Others suggest the endorsement could backfire by generating more support for Allen from liberal Democrats who use the Internet to organize and raise money, and who regard Lieberman as a pariah because of his advocacy of the war in Iraq.

"Nobody fires up the Netroots more than Joe Lieberman, not even President Bush," said Amy Walter, editor of the political newsletter The Hotline.

Allen said that on balance, the endorsement doesn't hurt his campaign. "For the Democratic base," Lieberman's advocacy of the war in Iraq and, more recently, Iran, has made him a bit of a lightning rod," the six-term congressman said.

Collins said she "appreciates Lieberman's willingness to work across party lines," while noting that "Joe and I don't agree on every issue. He has a much more aggressive, hawkish position on the war."

Collins and Lieberman have forged a close relationship while serving on the Homeland Security and Government Affairs Committee and on fact-finding trips to South Asia and the Middle East.

"Really, the relationship grows out of our work together on the committee," Lieberman said. "Ultimately, we've developed a lot of trust."

After being asked by Collins for his support, Lieberman announced in April he would endorse her. He has since raised money for his campaign in Hartford, Conn., and in Washington, D.C.

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obits@seacoastonline.com



"Peter Rice"
<phrice@pw.cityofportsmouth.com>

11/03/2008 07:44 AM

To "Peg Bastien" <mbastien@des.state.nh.us>, Joy
Hilton/R1/USEPA/US@EPA

cc

bcc

Subject Re: Quarterly Report

See attached advertisement for pre-qualifications.

Peter H. Rice, P.E.
City of Portsmouth
Department of Public Works
Water and Sewer Engineer
Phone: 603-766-1416
Fax: 603-427-1539

>>> <Hilton.Joy@epamail.epa.gov> 10/31/2008 7:41 AM >>>
Peter-

Please send the attachment.

Thank you.

Joy Hilton, Engineer
Water Technical Unit
U.S. EPA - Region 1
1 Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Telephone: (617) 918-1877
Fax: (617) 918-0877

"Peter Rice"
<phrice@pw.cityofportsmouth.com>

10/30/2008 04:15
PM

"Mark Allenwood"
<mallenwood@brwnald.com>,
"Suzanne Woodland"
<smwoodla@ch.cityofportsmouth.com>,
"Peg Bastien"
<mbastien@des.state.nh.us>, Joy
Hilton/R1/USEPA/US@EPA,
<goodwinp@wseinc.com>

To

cc

Subject

Quarterly Report

Attached please find a copy of Quarterly report number 5 for

Administrative Order Docket No. 08-003.

Hard copy will follow by mail. Please call if you have any questions or require additional information.

Peter H. Rice, P.E.
City of Portsmouth
Department of Public Works
Water and Sewer Engineer
Phone: 603-766-1416
Fax: 603-427-1539



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IMPROVEMENTS
Separate sealed PREQUALIFICATION
STATEMENTS for the construction of
Bartlett Areas Sewer Improvements will
be received by the City of Portsmouth at
the **Purchasing Department** until 3:00
P.M. (Local Time) on **January 25, 2008**.
The work includes construction of sleeves
under the railroad tracks (jack and bore),
sanitary sewers, storm sewers, water mains
and appurtenances. The project is located
in the vicinity of the Bartlett Street and Is-
lington Street intersection. Construction is
expected to start in April 2008. The anti-
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\$4 Million.

any prequalification statements, to accept any prequalification statement, to waive any informality on statements received, and to take any action that it may deem to be in the best interest of the City.

There is no cost for the Prequalification Statement. All requests for mailed documents will be shipped by regular UPS ground.

Note: Prequalification statement and bid proposals are the responsibility of the Contractor.

Note: Prequalification statements must be submitted in sealed envelopes addressed to **Purchasing Department**, City Hall, 1 Jundkins Avenue, Portsmouth, NH 03801. (UL - Dec. 26)

Page 203 with the Belknap County of Deeds.

Property will be sold subject to all
d real estate taxes and all other liens
ncumbrances, which may be entitled
cedence over the Mortgage. Notwith-
any title information contained in
notice, the Mortgagee expressly dis-
s any representations as to the state
title to the Property involved as of the
of the notice of the date of sale. The
to be sold at the sale is "AS IS
RE IS"

deposits of Five Thousand (\$5,000.00) in the form of a certified check or treasurer's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price will be paid within thirty (30) days from sale date in the form of a certified check, treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale.

Dated at Pawtucket, Rhode Island, on December 18, 2007

Residential Funding Company, LLC
By its Attorney,
Jessica Rodger, Esquire
Shechtman Halperin Sonnet, LLC



"Peter Rice"
<phrice@pw.cityofportsmouth
.com>

10/30/2008 04:15 PM

To "Mark Allenwood" <mallenwood@brwnald.com>, "Suzanne
Woodland" <smwoodla@ch.cityofportsmouth.com>, "Peg
Bastien" <mbastien@des.state.nh.us>, Joy

cc

bcc

Subject Quarterly Report

Attached please find a copy of Quarterly report number 5 for
Administrative Order Docket No. 08-003.

Hard copy will follow by mail. Please call if you have any questions
or require additional information.

Peter H. Rice, P.E.
City of Portsmouth
Department of Public Works
Water and Sewer Engineer
Phone: 603-766-1416
Fax: 603-427-1539



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road

Portsmouth N.H. 03801

(603) 427-1530 FAX (603) 427-1539

October 30, 2008

U.S. Environmental Protection Agency
Region I
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 5
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the fifth quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- b. **By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled. Waiting on EPA and DES approval.

- c. **By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- d. **By October 17, 2008**, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

Page 2 of 3
Ms. Joy Hilton
October 30, 2008

e. **From the date of receipt of this Order**, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going, most recent outreach activities include:

- *Quarterly Status report to City Council October 6, 2008*
- *City staff and project consultants held a Wastewater 202 public informational meeting on October 22, 2008. This presentation was videoed and is posted on the City's Web site along with the previous presentations.*
- *Peter Rice did a radio interview concerning the wastewater master plan on October 28, 2008.*

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we believe we will not meet the July 2009 schedule for project Area 2 completion. As stated in the last quarterly status report the City will prepare a revised schedule reflecting the contracts and project areas to clarify the confusing nomenclature. However, it is necessary to complete the design to define each projects' extent and phasing. The intent is to complete all the project areas listed in Administrative Order 08-003 within the overall July 2012 dead line.

The construction of "Islington #1" project has been delayed due to property acquisition issues. During final preparation for bidding the property owner at the proposed jacking pit location at the corner of Islington and Bartlett Street refused to execute an easement to allow access to his property. The property owner had previously indicated his willingness to grant an easement. Prior to this easement issue the project was on schedule to start construction in April of 2008. The City had advertised and had received contractor qualifications (see attached advertisement).

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 3 of 3
Ms. Joy Hilton
October 30, 2008

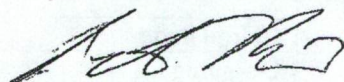
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See updated Table 1 (attached) listing accomplishments.

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth, w/o enclosure
Margaret Bastien, NHDES, w/encl.
Suzanne Woodland, Assistant City Attorney, w/encl.
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Lincoln	3	4/1/2009	7/1/2011	Contract has been executed and design is underway.
Lincoln	3A	4/1/2010	7/1/2012	Contract has been executed and design is underway.
Borthwick	Interceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	Easement issues have delayed start of construction.
Islington	Islington #2	7/1/2009	1/1/2012	
Mechanic Street PS		1/1/2009	4/1/2010	Completed*
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going

* Electrical upgrade at Mechanic Street Pumping Station has been completed. This upgrade has improved pumping capacity from 18 mgd to ~21 mgd. Additional upgrades as outlined in the 2005 CSO LTCP is pending completion of the on-going wastewater master plan.

OBITUARY

Florence Hagen

WEATHERSFIELD, Vt. — Florence "Floresie" Hagen, 83, died after a brief illness Saturday evening, Dec. 22, 2007, at Exeter Hospital in Exeter, N.H., surrounded by her family.

She was born Aug. 30, 1924, in Greenfield, Mass., the daughter of Arthur and Mary (Dabner) Lemire. She received her education in Massachusetts, Canada and Maine.

She moved to the Weatherfield area in the early 1940s, where she had made her home since.

She was married to William "Bud" Hagen on Feb. 7, 1948, in Springfield. He predeceased

her on Aug. 5, 2007. She is survived by three sons, Paul and his wife, Charlene, of Portsmouth, N.H.; David and his wife, Elaine, of Hampton, N.H.; and Michael and his wife, Annette, of Weatherfield; one daughter, Mary Lou Bastian and her husband, Russell, of West Unity, N.H.; seven grandchildren; and 10 great-grandchildren. She is also survived by several nieces, nephews and cousins.

She was predeceased by two sisters, Theresa Pelquin and Celia Wood.

WE REMEMBER: Mrs. Hagen



was a mother and homemaker, working part time as a postal clerk at the Perkinsville Post Office for 20 years. She also worked at the Bryant Gender Corp. in Springfield during World War II.

She was a member of the Asseney Union Church, where she was a very active volunteer over the years. She was also very active with numerous charities and women's groups in the area over the years. She and her husband were members of the Good Sam campers club and enjoyed camping. She also enjoyed crafts, ceramics, painting and making

lampshades. She was an avid reader.

SERVICES: Friends may call from 6 to 8 p.m. on Wednesday at the Davis Memorial Chapel, 69 Summer St., Springfield. A funeral service will be held at 11 a.m. on Thursday at the Asseney Union Church in Asseney. The Rev. Connie Moser, pastor, will officiate. Burial will be in the Plain Cemetery in Perkinsville in the spring. Contributions may be made in her memory to the Asseney Union Church, P.O. Box 345, Asseney, VT 05030. Arrangements are under the direction of the Davis Memorial Chapel in Springfield.

GOP's Collins gets help from ex-Democrat

Lieberman backs her bid for re-election

PORTLAND, Maine (AP) — In 2006, Republican U.S. Sen. Susan Collins of Maine campaigned for Connecticut colleague Joseph Lieberman, the former Democrat who won re-election as an independent after losing his party's primary.

Now, as Collins faces what many see as a tough re-election challenge from Democrat Tim Allen, Lieberman has returned the favor by backing Collins and raising money for her campaign.

Political experts and the candidates themselves are split on how Lieberman's involvement in the 2008 race could affect the outcome.

Some suggest that having a former Democrat in her corner could rally swing voters to the two-term senator by distancing her from the policies of President Bush.

"It's better to run as a Joe Lieberman Republican than a George Bush Republican," said Stuart Rothenberg, a political handicapper and author of the Rothenberg Political Report.

Since most endorsements are predictable, Rothenberg said, getting the nod from a former Democrat who was his party's vice presidential nominee in 2000 is a plus for a

moderate Republican.

Others suggest the endorsement could backfire by generating more support for Allen from liberal Democrats who use the Internet to organize and raise money, and who regard Lieberman as a pariah because of his advocacy of the war in Iraq.

"Nobody fires up the Net more than Joe Lieberman, not even President Bush," said Amy Walter, editor of the political newsletter The Hotline.

Allen said that on balance, the endorsement doesn't hurt his campaign. "But the Democratic base, Lieberman's advocacy of the war in Iraq and, more recently, Iran, has made him a bit of a lightning rod," the six-term congressman said.

Collins said she "appreciates Lieberman's willingness to work across party lines," while noting that "Joe and I don't agree on every issue. He has a much more aggressive, hawkish position on the war."

Collins and Lieberman have forged a close relationship while serving on the Homeland Security and Governmental Affairs Committee and on fact-finding trips to South Asia and the Middle East.

"Really, the relationship grows out of our work together on the committee," Lieberman said. "Ultimately, we've developed a lot of trust."

After being asked by Collins for his support, Lieberman announced in April he would endorse her. He has since raised money for her campaign in Hartford, Conn., and in Washington, D.C.

Rx restriction law overturned in Maine

BANGOR, Maine (AP) — Relying heavily on a ruling in New Hampshire, a federal judge has overturned a new state law that restricts access by medical data companies to doctors' prescription information.

The law had been challenged on constitutional grounds by IMS Health of Norwalk, Conn.,

which was scheduled to take effect Jan. 1, would prohibit the transfer of truthful commercial information and "violate the free speech guarantee of the First Amendment."

The law had been challenged on constitutional grounds by IMS Health of Norwalk, Conn.,

Wolters Kluwer Health of Conshohocken, Pa., and Veriplex of Yardley, Pa., which collect, analyze and sell medical data to pharmaceutical companies for use in their marketing programs.

In his 42-page decision, Woodcock noted several times that he relied heavily on an April 30 ruling by U.S. District Judge Paul Barbakoff in New Hampshire that struck down a similar law in that state. A similar case is also pending in Vermont.

The Maine law, one several enacted by the Legislature in an attempt to address high health care and prescription drug costs, was modified after the New Hampshire ruling in

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Legal Notice
YORK SEWER DISTRICT
PUBLIC HEARING NOTICE
PROPOSED EMINENT DOMAIN TAKING

1. The Trustees of the York Sewer District will hold a Public Hearing on January 17, 2008 at the York Sewer District, York, Maine at 5:00 PM to determine the advisability of the exercise of the right of eminent domain.

2. The land to be taken is a 0.93 parcel located at 2 Railroad Avenue Extension in York, Maine and is described as 1a portion of Lot 145 on York Tax Map 140.

3. The owner of the property is Roger R. Norton, Jr.
Dated this December 20, 2007 by the Trustees of the York Sewer District.
#12329btp 11 P. 12/24

COMBINATION WINDOWS AND DOORS

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Legal Notice
Rye Planning Board - Agenda
Rye Town Hall, 10 Central Road, Rye, NH 03870
(603) 964-9800 web: www.rye-nh.us
January 8, 2008 - Rye Town Hall at 7:00 PM

- Call to Order
- Approval of Minutes: November 28, December 11, and December 18, 2007: Action Required
- Third Public Hearing: Action Required
- No. 2007-01** to enact an Aquifer Protection Overlay District
- No. 2007-02** to amend the special exception provisions of The SR, GR, Business and Commercial Districts to delete the term "convalescent" (home) and to add definitions of "nursing home," "home for the elderly," "independent living," "assisted living," "senior care center," and "continuing care retirement community" to the ordinance.
- Public Hearing: Action Required
- McCaskey Wholesale - MACCA REALTY LLC, request for exemption, per Land Use Regulations, Site A to Site Review per Land Use Regulations 5206.2 and 5405 for property located at 25 Lafayette Road, Tax Map 14, Lot 10. File 15-01.
- Continuation of the Major Site Development Plan for The Housing Partnership or the Special Use Permit to construct 22 units of senior housing on the property located at 160 Lafayette Road, Tax Map 10, Lot 15 in accordance with the Rye Zoning Ordinance, Section 601, File No. 07-072
- Continuation of Great Wave Marketing, Inc. application for an Amendment to the 2005 Planning Board Approval to propose parking for the existing retail use on site for property located at 133-139 Lafayette Road, Tax Map 10, Lot 2. File No. 14-01
- Continuation of Two Twenty Eight Maple Street LLC request a Final Review for a Condominium Conversion for Wallis Sands Place Condominiums, LLC located at 1035 Ocean Boulevard, Tax Map 20.2, Lot 1 with an approximate lot size of 82,398 S.F. to convert 10 existing seasonal rental units and one existing year round dwelling unit into 11 condominium units. File No. 11-03.
- Conceptual Consultations: Interventional Spine Medicine discussion on purchasing 270 Lafayette Road, Tax Map 10, Lot 82 and converting it from Office to Medical and they would need a change of use permit and they would need a waiver from parking per Section 606.2 of the LDR and will potentially add onto the building.
- Payment of Excavates - Action Required
- New Business:
- Adjournment - Action Required

Donald A. Cavallaro,
Planning Board Chairman

NOTE: NO APPLICATIONS WILL COMMENCE AFTER 10:00 PM. REMAINING APPLICATIONS SHALL BE CONTINUED UNTIL THE FOLLOWING MONTH.
#9572ip 11 P. 12/24

Legal Notice
CITY OF PORTSMOUTH, NEW HAMPSHIRE
ADVERTISEMENT FOR
PRE-QUALIFICATION OF CONTRACTORS
BARTLETT AREA SEWER IMPROVEMENTS

Separate sealed PRE-QUALIFICATION STATEMENTS for the construction of: **Bartlett Area Sewer Improvements** will be received by the City of Portsmouth at the Purchasing Department until 2:00 PM (Local Time) on **January 28, 2008**. The work includes construction of sewers under the railroad tracks (lock and bore), sanitary sewers, storm sewers, water mains and appurtenances. The project is located in the vicinity of the Bartlett Street and Lexington Street intersection. Construction is expected to start in April 2008. The anticipated construction cost is between \$3 and \$4 Million.

- Project may be funded in part by the NHDES State Revolving Loan Fund and/or EPA STAG funds. State and Federal provisions apply.
- The City will begin the bidding process following completion of the pre-qualification period. To be eligible to submit bid proposals, all individuals, firms, partnerships or corporations interested in bidding MUST BE PRE-QUALIFIED. Only pre-qualified contractors will be invited to bid.
- The City reserves the right to reject any or all pre-qualification statements, to accept any pre-qualification statement, to waive any informality in statements received, and to take any action that it may deem to be in the best interest of the City.

Copies of the Pre-qualification Statements may be obtained from the City Purchasing Department, City Hall, 1 Junken Avenue, Portsmouth, New Hampshire 03801-4012 (603-510-7272). There is no cost for the Pre-qualification Statement. All requests for mailed documents will be shipped by regular UPS ground.

The Pre-qualification Statement may be examined at the following locations: Office of Underwood Engineers, Inc., 25 Vaughan Mall, Unit 1, Portsmouth, NH 03801-4012, Office of Public Works - Peewee Hill Road, Portsmouth, NH 03801, Purchasing Department - 1 Junken Avenue, Portsmouth, NH 03801, Office of Construction - 1 Junken Avenue, Portsmouth, NH 03801, Office of the Mayor - 1 Junken Avenue, Portsmouth, NH 03801, Office of Associated General Contractors of NH - 48 Grandview Road, Bow, NH 03304, Office of Doge Reports - 886 2nd Street, Manchester, NH 03102

Neither the City nor the Engineer will be responsible for full or partial sets of the statements obtained from any source. All costs associated with the preparation of the pre-qualification statement and bid proposals are the responsibility of the Contractor.

Note: Pre-qualification statements must be submitted in sealed envelope addressed to Purchasing Department, City Hall, 1 Junken Avenue, Portsmouth, NH 03801.
#12517bp 11 P. 12/24

Legal Notice
Town of Epping, New Hampshire

Supervisors of the checklist will be in session on Saturday, December 29, 2007, between 11:00 am and 11:00 am. Additions and corrections will be made at this time.

Supervisors:
Grace Laviole
Pam Holme
Kim Gauthier

#12517bp 11 P. 12/24

Legal Notice
HISTORIC DISTRICT COMMISSION
CITY OF PORTSMOUTH, NEW HAMPSHIRE

NOTICE IS HEREBY GIVEN that the Historic District Commission will hold Public Hearings on applications #1 through #4 on Wednesday, January 2, 2008, at 7:00 pm, in the Epping Community Center, 1 Junken Avenue, Portsmouth, NH 03801.

- Petition of Gregory B. Bolton, owner, and Bruce Orsini, applicant, for property located at 33-35 Richmond Street, wherein permission is requested to allow exterior renovations to an existing structure (replace gutters, as per plans on file in the Planning Department). Said property is shown on Assessor's Plan 108 as Lot 17 and lies within the Mixed Residential Office and Historic A Districts.
- Petition of Peter B. Schwab, owner, for property located at 270-272 South Street, wherein permission is requested to allow exterior renovations to an existing structure (replace windows, siding, and trim at 270 South Street and remove door, replace figure window, and add windows at 272 South Street) as per plans on file in the Planning Department. Said property is shown on Assessor's Plan 111 as Lot 8 and lies within the Single Residential B and Historic A Districts.
- Petition of Dorianne Real Estate, LLC, owner, for property located at 37 Bow Street, wherein permission is requested to allow exterior renovations to an existing structure (installation of air handling unit) as per plans on file in the Planning Department. Said property is shown on Assessor's Plan 105 as Lot 49 and lies within the Central Business A, Historic A, and Downtown Overlay Districts.
- Petition of Esda Bing Enterprises, LLC, owner, and Heidi Cecia, architect, for property located at 21 Daniel Street, wherein permission is requested to allow exterior renovations to an existing structure (install retractable awning) as per plans on file in the Planning Department. Said property is shown on Assessor's Plan 107 as Lot 28 and lies within the Central Business B and Historic A Districts.

Roger W. Clum, Assistant Building Inspector
#12517bp 11 P. 12/24

OBITUARY NOTICES

In order to better serve you, Seacoast Media Group has established an address where both your obituary and death notice can be sent.

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attorney will be re-
at or before the time a
successful bidder(s) will
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after the close of the
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thirty (30) days from
of a certified check,
or other check satis-
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New Hampshire, on
ONE MORTGAGE
CORPORATION
By its Attorneys,
LAW OFFICES, P.C.
50 California Street
Newton, MA 02458
(603) 669-7963
200708-1728 - PRP

Notice
ICE OF SALE OF
PROPERTY
of Sale contained
given by **Laura J.**
P. Dean ("the
Beach Mortgage
2006 and record-
County Registry of
1565 (the "Mort-
the Mortgage")
company, as Trustee
Loan Trust 2006-
of said power and
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closing the same
January 9, 2008
on the mortgaged
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County Registry of
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SUCCESSOR BY MERGER TO WELLS
FARGO HOME MORTGAGE, INC.
By its Attorneys,
HARMON LAW OFFICES, P.C.
150 California Street
Newton, MA 02458
(603) 669-7963
200707-1740 - BLU
(UL - Dec. 26, Jan. 2, 9)

Legal Notice
CITY OF PORTSMOUTH, NEW HAMPSHIRE
ADVERTISEMENT FOR PRE-QUALIFICATION OF CONTRACTORS
BARTLETT AREA SEWER IMPROVEMENTS
Separate sealed PREQUALIFICATION STATEMENTS for the construction of **Bartlett Areas Sewer Improvements** will be received by the **City of Portsmouth** at the **Purchasing Department** until **3:00 P.M. (Local Time) on January 25, 2008**. The work includes construction of sleeves under the railroad tracks (jack and bore), sanitary sewers, storm sewers, water mains and appurtenances. The project is located in the vicinity of the Bartlett Street and Islington Street intersection. Construction is expected to start in April 2008. The anticipated construction cost is between \$3 and \$4 Million.

1. Project may be funded in part by the NHDES State Revolving Loan Fund and/or EPA STAG funds. State and Federal provisions apply.
2. The City will begin the bidding process following completion of the prequalification period. To be eligible to submit bid proposals, all individuals, firms, partnerships or corporations interested in bidding **MUST BE PRE-QUALIFIED**. Only pre-qualified contractors will be invited to bid.
3. The City reserves the right to reject any or all prequalification statements, to accept any prequalification statement, to waive any informality on statements received, and to take any action that it may deem to be in the best interest of the City.
Copies of the Prequalification Statements may be obtained from the City Purchasing Department, City Hall, 1 Junkins Avenue, Portsmouth, New Hampshire 03801-4012 (603-610-7227).

There is no cost for the Prequalification Statement. All requests for mailed documents will be shipped by regular UPS ground.
The Prequalification Statement may be examined at the following locations: Office of Underwood Engineers, Inc. - 25 Vaughan Mall, Unit 1, Portsmouth, NH 03801-4012, Office of Public Works - Peverly Hill Road, Portsmouth, NH 03801, Purchasing Department - 1 Junkins Avenue, Portsmouth, NH 03801, Office of Construction Summary of NH - 734 Chestnut St., Manchester, NH 03104, Office of Associated General Contractors of NH - 48 Grandview Road, Bow, NH 03304, Office of Dodge Reports - 880 2nd Street, Manchester, NH 03102.
Neither the City nor the Engineer will be responsible for full or partial sets of the statements obtained from any source. All costs associated with the preparation of the prequalification statement and bid proposals are the responsibility of the Contractor.
Note: Prequalification statements must be submitted in sealed envelopes addressed to **Purchasing Department**, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801.
(UL - Dec. 26)

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For Mortgagors' Title see de
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NOTICE
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UPRIOR COURT FOR THE COUNT
ICH THE MORTGAGED PREMISE
ITUATED, WITH SERVICE UPON TH
GAGEE, AND UPON SUCH BOND A
COURT MAY REQUIRE TO ENJOI
SCHEDULED FORECLOSURE SALE.
Property will be sold subject to al
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notice, the Mortgagee expressly dis-
s any representations as to the state
title to the Property involved as of the
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TERMS OF SALE
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reject any and all bids, to continue the
e and to amend the terms of the sale by
tten or oral announcement made before
during the foreclosure sale.
Dated at Pawtucket, Rhode Island, on De-
ember 18, 2007

Residential Funding Company, LLC
By its Attorney,
Jessica Rodger, Esquire
Shechtman Halpern Samuels LLP



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

January 30, 2009

U.S. Environmental Protection Agency
Region I
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 6
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the sixth quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- b. **By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled. Waiting on EPA and DES approval.

- c. **By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- d. **By October 17, 2008**, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

e. **From the date of receipt of this Order**, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going, most recent outreach activities include:

- *Quarterly Status report to City Council December 15, 2008*
- *A Public Necessity Hearing for eminent domain takings authority was held on January 12, 2009.*

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we will not meet the July 2009 schedule for project Lincoln Area 2 completion nor Islington #1.

The City has entered into a contract with Underwood Engineers to complete the design for Lincoln Areas 2, 2A, 3, and 3A at one time. As stated in the last quarterly status report the City will prepare a revised schedule reflecting the Lincoln Areas contracts and project areas to clarify the confusing nomenclature. However, it is necessary to complete the design to define each projects' extent and phasing. The intent is to complete all the project areas listed as part of the Lincoln Area in Administrative Order 08-003 within the overall July 2012 dead line.

The construction of "Islington #1" project has been delayed due to property acquisition issues. During final preparation for bidding the property owner at the proposed jacking pit location at the corner of Islington and Bartlett Street refused to execute an easement to allow access to his property. The property owner had previously indicated his willingness to grant an easement. Prior to this easement issue the project was on schedule to start construction in April of 2008. The City had advertised and had received contractor qualifications (see previously submitted advertisement).

Page 3 of 3
Ms. Joy Hilton
January 30, 2009

The City has evaluated alternatives including possible adjustment of the project design to shift the sewer and drain lines to the South side of Bartlett Street. Based on the evaluation we have determined the existing design locating the sewer and drain on the north side of Bartlett Street is the least disruptive in terms of impacted private property owners and therefore is the best alternative. This alternative requires securing the easement from the property owner at 653 Islington. The City has had an appraisal of the easement completed and has held the necessary "Public Necessity Hearing (January 12, 2009)" and received City Council approval to proceed with eminent domain of the easement. These delays have pushed the completion date of this project beyond the July 2009 deadline. The actual delay has not been determined.

See updated Table 1 (attached) listing accomplishments.

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth, w/o enclosure
Tracy Wood, P.E., NHDES, w/encl.
Suzanne Woodland, Assistant City Attorney, w/encl.
Peter Goodwin, P.E., Weston and Sampson Engineers, w/o enclosure
Mark Allenwood, P.E., Brown and Caldwell Engineers, w/o enclosure

TABLE 1

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 1/30/09
Lincoln	2	4/1/2007	7/1/2009	Contract has been executed and design is underway.
Lincoln	2A	7/1/2008	11/1/2010	Contract has been executed and design is underway.
Lincoln	3	4/1/2009	7/1/2011	Contract has been executed and design is underway.
Lincoln	3A	4/1/2010	7/1/2012	Contract has been executed and design is underway.
Borthwick	Intereceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	Easement issues have delayed start of construction.
Islington	Islington #2	7/1/2009	1/1/2012	
Mechanic Street PS		1/1/2009	4/1/2010	Completed ¹
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going

¹ Electrical upgrade at Mechanic Street Pumping Station has been completed. This upgrade has improved pumping capacity from 18 mgd to ~21 mgd. Additional upgrades as outlined in the 2005 CSO LTCP is pending completion of the on-going wastewater master plan.



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

October 30, 2008

U.S. Environmental Protection Agency
Region I
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 5
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the fifth quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- b. **By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled. Waiting on EPA and DES approval.

- c. **By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

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- d. **By October 17, 2008**, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

e. **From the date of receipt of this Order**, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going, most recent outreach activities include:

- *Quarterly Status report to City Council October 6, 2008*
- *City staff and project consultants held a Wastewater 202 public informational meeting on October 22, 2008. This presentation was videoed and is posted on the City's Web site along with the previous presentations.*
- *Peter Rice did a radio interview concerning the wastewater master plan on October 28, 2008.*

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we believe we will not meet the July 2009 schedule for project Area 2 completion. As stated in the last quarterly status report the City will prepare a revised schedule reflecting the contracts and project areas to clarify the confusing nomenclature. However, it is necessary to complete the design to define each projects' extent and phasing. The intent is to complete all the project areas listed in Administrative Order 08-003 within the overall July 2012 dead line.

The construction of "Islington #1" project has been delayed due to property acquisition issues. During final preparation for bidding the property owner at the proposed jacking pit location at the corner of Islington and Bartlett Street refused to execute an easement to allow access to his property. The property owner had previously indicated his willingness to grant an easement. Prior to this easement issue the project was on schedule to start construction in April of 2008. The City had advertised and had received contractor qualifications (see attached advertisement).

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 3 of 3
Ms. Joy Hilton
October 30, 2008

The City is currently evaluating alternatives including possible adjustment of the project design to shift the sewer and drain lines to the South side of Bartlett Street. The South side alternative also requires property acquisitions. The City has had an appraisal done and is currently negotiating with the property owner. Exploration of alternatives will delay the completion date of this project beyond the July 2009 deadline. The actual delay has not been determined.

See updated Table 1 (attached) listing accomplishments.

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth, w/o enclosure
Margaret Bastien, NHDES, w/encl.
Suzanne Woodland, Assistant City Attorney, w/encl.
Peter Goodwin, P.E., Weston and Sampson Engineers, w/o enclosure
Mark Allenwood, P.E., Brown and Caldwell Engineers, w/o enclosure

TABLE 1

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 4/30/08
Lincoln	2	4/1/2007	7/1/2009	Contract has been executed and design is underway.
Lincoln	2A	7/1/2008	11/1/2010	Contract has been executed and design is underway.
Lincoln	3	4/1/2009	7/1/2011	Contract has been executed and design is underway.
Lincoln	3A	4/1/2010	7/1/2012	Contract has been executed and design is underway.
Borthwick	Intereceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	Easement issues have delayed start of construction.
Islington	Islington #2	7/1/2009	1/1/2012	
Mechanic Street PS		1/1/2009	4/1/2010	Completed*
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going

* Electrical upgrade at Mechanic Street Pumping Station has been completed. This upgrade has improved pumping capacity from 18 mgd to ~21 mgd. Additional upgrades as outlined in the 2005 CSO LTCP is pending completion of the on-going wastewater master plan.



"Peter H. Rice"
<phrice@cityofportsmouth.com>

04/30/2009 04:13 PM

To Joy Hilton/R1/USEPA/US@EPA, "Suzanne M. Woodland"
<smwoodland@cityofportsmouth.com>, "Dave S. Allen"
<dsallen@cityofportsmouth.com>

cc

bcc

Subject Quarterly Report AO 08-003

Joy:

Attached please find a copy of the quarterly report required as part of Administrative Order 08-003. Hard copy is in the mail. In addition, I have included a draft figure which reconciles the nomenclature used in the original CSO LTCP and that of our current project phasing. Please call if you require additional information or have any questions.

Peter Rice, P.E.

City Engineer, Water and Sewer Divisions
680 Peverly Hill Road
Portsmouth, New Hampshire 03801

603-766-1416

Fax 603-427-1539



N2039_Figure Work Plan 1 (1).pdf epa7th quarterly report.pdf



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH
680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

April 30, 2009

U.S. Environmental Protection Agency
Region 1
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 7
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the seventh quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- b. **By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled. Waiting on EPA and DES approval.

- c. **By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- d. **By October 17, 2008**, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 2 of 3
Ms. Joy Hilton
April 30, 2009

e. **From the date of receipt of this Order**, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going.

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we will not meet the July 2009 schedule for project Lincoln Area 2 completion nor Islington #1.

The City has entered into a contract with Underwood Engineers to complete the design for Lincoln Areas 2, 2A, 3, and 3A at one time. As stated in the previous quarterly status report the City is working to prepare a revised schedule reflecting the Lincoln Areas contracts and project areas to clarify the confusing nomenclature. However, it is necessary to complete the design to define each projects' extent and phasing. The intent is to complete all the project areas listed as part of the Lincoln Area in Administrative Order 08-003 within the overall July 2012 dead line. Attached is a draft revised project area phasing work plan for your review.

The construction of "Islington #1" project has been delayed due to property acquisition issues. During final preparation for bidding the property owner at the proposed jacking pit location at the corner of Islington and Bartlett Street refused to execute an easement to allow access to his property. The property owner had previously indicated his willingness to grant an easement. Prior to this easement issue the project was on schedule to start construction in April of 2008. The City had advertised and had received contractor qualifications (see previously submitted advertisement).

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 3 of 3
Ms. Joy Hilton
April 30, 2009

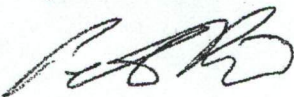
The City has evaluated alternatives including possible adjustment of the project design to shift the sewer and drain lines to the South side of Bartlett Street. Based on the evaluation we have determined the existing design locating the sewer and drain on the north side of Bartlett Street is the least disruptive in terms of impacted private property owners and therefore is the best alternative. This alternative requires securing the easement from the property owner at 653 Islington. The City has had an appraisal of the easement completed and has held the necessary "Public Necessity Hearing (January 12, 2009)" and received City Council approval to proceed with eminent domain of the easement. These delays have pushed the completion date of this project beyond the July 2009 deadline. The new completion date has not been determined.

See updated Table 1 (attached) listing accomplishments.

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth, w/o enclosure
Tracy Wood, P.E., NHDES, w/encl.
Suzanne Woodland, Assistant City Attorney, w/encl.
Peter Goodwin, P.E., Weston and Sampson Engineers, w/o enclosure
Mark Allenwood, P.E., Brown and Caldwell Engineers, w/o enclosure

TABLE 1

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 1/30/09
Lincoln	2	4/1/2007	7/1/2009	Contract has been executed and design is underway.
Lincoln	2A	7/1/2008	11/1/2010	Contract has been executed and design is underway.
Lincoln	3	4/1/2009	7/1/2011	Contract has been executed and design is underway.
Lincoln	3A	4/1/2010	7/1/2012	Contract has been executed and design is underway.
Borthwick	Interceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	Easement issues have delayed start of construction.
Islington	Islington #2	7/1/2009	1/1/2012	
Mechanic Street PS		1/1/2009	4/1/2010	Completed¹
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going

¹. Electrical upgrade at Mechanic Street Pumping Station has been completed. This upgrade has improved pumping capacity from 18 mgd to ~21 mgd. Additional upgrades as outlined in the 2005 CSO LTCP is pending completion of the on-going wastewater master plan.



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road

Portsmouth N.H. 03801

(603) 427-1530 FAX (603) 427-1539

April 30, 2009

U.S. Environmental Protection Agency
Region 1
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 7
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the seventh quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- b. **By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled. Waiting on EPA and DES approval.

- c. **By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- d. **By October 17, 2008**, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

e. From the date of receipt of this Order, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going.

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we will not meet the July 2009 schedule for project Lincoln Area 2 completion nor Islington #1.

The City has entered into a contract with Underwood Engineers to complete the design for Lincoln Areas 2, 2A, 3, and 3A at one time. As stated in the previous quarterly status report the City is working to prepare a revised schedule reflecting the Lincoln Areas contracts and project areas to clarify the confusing nomenclature. However, it is necessary to complete the design to define each projects' extent and phasing. The intent is to complete all the project areas listed as part of the Lincoln Area in Administrative Order 08-003 within the overall July 2012 dead line. Attached is a draft revised project area phasing work plan for your review.

The construction of "Islington #1" project has been delayed due to property acquisition issues. During final preparation for bidding the property owner at the proposed jacking pit location at the corner of Islington and Bartlett Street refused to execute an easement to allow access to his property. The property owner had previously indicated his willingness to grant an easement. Prior to this easement issue the project was on schedule to start construction in April of 2008. The City had advertised and had received contractor qualifications (see previously submitted advertisement).

Page 3 of 3
Ms. Joy Hilton
April 30, 2009

The City has evaluated alternatives including possible adjustment of the project design to shift the sewer and drain lines to the South side of Bartlett Street. Based on the evaluation we have determined the existing design locating the sewer and drain on the north side of Bartlett Street is the least disruptive in terms of impacted private property owners and therefore is the best alternative. This alternative requires securing the easement from the property owner at 653 Islington. The City has had an appraisal of the easement completed and has held the necessary "Public Necessity Hearing (January 12, 2009)" and received City Council approval to proceed with eminent domain of the easement. These delays have pushed the completion date of this project beyond the July 2009 deadline. The new completion date has not been determined.

See updated Table 1 (attached) listing accomplishments.

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.

City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth, w/o enclosure
Tracy Wood, P.E., NHDES, w/encl.
Suzanne Woodland, Assistant City Attorney, w/encl.
Peter Goodwin, P.E., Weston and Sampson Engineers, w/o enclosure
Mark Allenwood, P.E., Brown and Caldwell Engineers, w/o enclosure

TABLE 1

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 1/30/09
Lincoln	2	4/1/2007	7/1/2009	Contract has been executed and design is underway.
Lincoln	2A	7/1/2008	11/1/2010	Contract has been executed and design is underway.
Lincoln	3	4/1/2009	7/1/2011	Contract has been executed and design is underway.
Lincoln	3A	4/1/2010	7/1/2012	Contract has been executed and design is underway.
Borthwick	Interceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	Easement issues have delayed start of construction.
Islington	Islington #2	7/1/2009	1/1/2012	
Mechanic Street PS		1/1/2009	4/1/2010	Completed ¹
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going

¹. Electrical upgrade at Mechanic Street Pumping Station has been completed. This upgrade has improved pumping capacity from 18 mgd to ~21 mgd. Additional upgrades as outlined in the 2005 CSO LTCP is pending completion of the on-going wastewater master plan.



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

July 31, 2009

U.S. Environmental Protection Agency
Region 1
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 8
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the eighth quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
 - a. **By November 1, 2007**, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- b. **By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled. Waiting on EPA and DES approval.

- c. **By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- d. **By October 17, 2008**, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

e. **From the date of receipt of this Order**, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going.

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we will not meet the July 2009 schedule for project Lincoln Area 2 completion nor Islington #1.

The City has entered into a contract with Underwood Engineers to complete the design for Lincoln Areas 2, 2A, 3, and 3A at one time. As stated in the previous quarterly status report the City is working to prepare a revised schedule reflecting the Lincoln Areas contracts and project areas to clarify the confusing nomenclature. However, it is necessary to complete the design to define each projects' extent and phasing. The intent is to complete all the project areas listed as part of the Lincoln Area in Administrative Order 08-003 within the revised July 2013 dead line. The City previously submitted a draft revised project area phasing work plan for EPS's review and approval.

The of "Islington #1" project has been advertised for bid and the bid opening is scheduled for August 14, 2009. The construction of "Islington #1" project has been delayed due to property acquisition issues. During final preparation for bidding the property owner at the proposed jacking pit location at the corner of Islington and Bartlett Street refused to execute an easement to allow access to his property. The property owner had previously indicated his willingness to grant an easement. Prior to this easement issue the project was on schedule to start construction in April of 2008. These delays have pushed the completion date of this project beyond the July 2009 deadline. The new completion date is anticipated to be October 2010.

See updated Table 1 (attached) listing accomplishments.

Page 3 of 3
Ms. Joy Hilton
July 31, 2009

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth, w/o enclosure
Tracy Wood, P.E., NHDES, w/encl.
Suzanne Woodland, Assistant City Attorney, w/encl.
Peter Goodwin, P.E., Weston and Sampson Engineers, w/o enclosure
Mark Allenwood, P.E., Brown and Caldwell Engineers, w/o enclosure

TABLE 1

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 1/30/09
Lincoln	2	4/1/2007	7/1/2009	Contract has been executed and design is underway.
Lincoln	2A	7/1/2008	11/1/2010	Contract has been executed and design is underway.
Lincoln	3	4/1/2009	7/1/2011	Contract has been executed and design is underway.
Lincoln	3A	4/1/2010	7/1/2012	Contract has been executed and design is underway.
Borthwick	Interceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	Project is out to bid. Bids to be received 8/14/09.
Islington	Islington #2	7/1/2009	1/1/2012	Under Design
Mechanic Street PS		1/1/2009	4/1/2010	Completed ¹
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going

¹. Electrical upgrade at Mechanic Street Pumping Station has been completed. This upgrade has improved pumping capacity from 18 mgd to ~21 mgd. Additional upgrades as outlined in the 2005 CSO LTCP is pending completion of the on-going wastewater master plan.



"Peter H. Rice"
<phrice@cityofportsmouth.com>

07/31/2009 04:19 PM

To Joy Hilton/R1/USEPA/US@EPA, "tracy.wood@des.nh.gov"
<tracy.wood@des.nh.gov>
cc "Suzanne M. Woodland"
<smwoodland@cityofportsmouth.com>, "Dave S. Allen"
<dsallen@cityofportsmouth.com>

bcc

Subject 8th Quarterly Report

Attached please find a copy of the 8th quarterly report to required as part of AO 08-003. Please call if you have any questions.

Peter Rice
City Engineer, Water and Sewer Divisions
680 Peverly Hill Road
Portsmouth, New Hampshire 03801

603-766-1416
Fax 603-427-1539



epaquarterly8.pdf



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH

680 Peverly Hill Road
Portsmouth N.H. 03801
(603) 427-1530 FAX (603) 427-1539

July 31, 2009

U.S. Environmental Protection Agency
Region 1
One Congress Street, Suite 1100 (SEW)
Boston, MA 02114-2023
Attn: Joy Hilton

Re: Administrative Order Docket No. 08-003 (superseding A.O. 07-016)
Quarterly Report 8
Portsmouth, New Hampshire

Dear Ms. Hilton:

In accordance with Administrative Order No 08-003, Section III, item 4, dated November 9, 2007, the City of Portsmouth is submitting the eighth quarterly report. The Administrative Order required:

1. Wastewater Facilities Study of both CSO and Secondary Treatment Options:
a. By November 1, 2007, begin work on Task 3 (Flows and Loads Forecasting) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- b. By April 16, 2008**, complete work on City's Task 3 summarizing the results in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled. Waiting on EPA and DES approval.

- c. By April 16, 2008**, begin work on Task 4 (Collection System Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

- d. By October 17, 2008**, begin work on Task 5 (Alternatives Evaluation) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This requirement has been fulfilled.

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 2 of 3
Ms. Joy Hilton
July 31, 2009

e. From the date of receipt of this Order, work on Task 11 (Public and Regulatory Participation Program and Task 12 (Project Management) itemized in draft Wastewater Management Plan Scope of Work submitted to EPA on May 23, 2007.

This work is on-going.

2. Interim Effluent Limitations:

- a. The City shall comply with the interim effluent limitations and monitoring requirements for Outfall No. 001 contained in **Attachment A** of this Order.
- b. The Permittee shall also comply with all effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit for the parameters not covered in **Attachment A**. It is the Permittee's obligation to operate the treatment facilities in a manner so as to maximize removal efficiencies and effluent quality.

The City is complying with this requirement.

3. Combined Sewer Overflow Abatement Projects:

The City shall implement CSO abatement projects defined in its April 2005 *Final CSO Long Term Control Plan* in accordance with the following schedule:

The City is in compliance with the requirements as currently written in Administrative Order Docket No. 08-003, however, we will not meet the July 2009 schedule for project Lincoln Area 2 completion nor Islington #1.

The City has entered into a contract with Underwood Engineers to complete the design for Lincoln Areas 2, 2A, 3, and 3A at one time. As stated in the previous quarterly status report the City is working to prepare a revised schedule reflecting the Lincoln Areas contracts and project areas to clarify the confusing nomenclature. However, it is necessary to complete the design to define each projects' extent and phasing. The intent is to complete all the project areas listed as part of the Lincoln Area in Administrative Order 08-003 within the revised July 2013 dead line. The City previously submitted a draft revised project area phasing work plan for EPS's review and approval.

The of "Islington #1" project has been advertised for bid and the bid opening is scheduled for August 14, 2009. The construction of "Islington #1" project has been delayed due to property acquisition issues. During final preparation for bidding the property owner at the proposed jacking pit location at the corner of Islington and Bartlett Street refused to execute an easement to allow access to his property. The property owner had previously indicated his willingness to grant an easement. Prior to this easement issue the project was on schedule to start construction in April of 2008. These delays have pushed the completion date of this project beyond the July 2009 deadline. The new completion date is anticipated to be October 2010.

See updated Table 1 (attached) listing accomplishments.

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PUBLIC WORKS DEPARTMENT

Page 3 of 3
Ms. Joy Hilton
July 31, 2009

Please call me at 603-766-1416 if you have any additional questions or require additional information.

Very truly yours,

City of Portsmouth



Peter H. Rice, P.E.
City Engineer, Water and Sewer Divisions

cc: Mr. John P. Bohenko, City Manager, City of Portsmouth, w/o enclosure
Tracy Wood, P.E., NHDES, w/encl.
Suzanne Woodland, Assistant City Attorney, w/encl.
Peter Goodwin, P.E., Weston and Sampson Engineers, w/o enclosure
Mark Allenwood, P.E., Brown and Caldwell Engineers, w/o enclosure

TABLE 1

Planning Area I.D.	Contract I.D.	Project Start Date	Project Completion Date	Status as of 1/30/09
Lincoln	2	4/1/2007	7/1/2009	Contract has been executed and design is underway.
Lincoln	2A	7/1/2008	11/1/2010	Contract has been executed and design is underway.
Lincoln	3	4/1/2009	7/1/2011	Contract has been executed and design is underway.
Lincoln	3A	4/1/2010	7/1/2012	Contract has been executed and design is underway.
Borthwick	Interceptor	Under Design	1/1/2010	Completed
Court	Court #2	Under Construction	1/1/2009	Completed
Court/State	Court #3	1/1/2008	1/1/2012	On-going
Islington	Islington #1	Under Design	7/1/2009	Project is out to bid. Bids to be received 8/14/09.
Islington	Islington #2	7/1/2009	1/1/2012	Under Design
Mechanic Street PS		1/1/2009	4/1/2010	Completed ¹
Revisit 2005 LTCP Flow Monitoring		1/1/2008	7/1/2008	On-going

¹ Electrical upgrade at Mechanic Street Pumping Station has been completed. This upgrade has improved pumping capacity from 18 mgd to ~21 mgd. Additional upgrades as outlined in the 2005 CSO LTCP is pending completion of the on-going wastewater master plan.